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Ref: Clean Water Management Plan and Preliminary Review of the  
United Federal Policy Ensuring a Watershed Approach to  
Federal lands and resources.

Comments from Andrew V. Myers - Address above:

First let me point out that this is an illegal action and will be  
treated as such.

Point 4(3x2) of the plan states that opportunities will be  
provided " for interested stakeholder to participate in  
monitoring and assessing watershed conditions and in implementing  
watershed restoration projects." With the rash of citizen suits  
that have been filed in recent years involving non-point source  
water pollution, this section brings immediately to mind section  
505(ax 1) of the Clean Water Act authorizing the filing of legal  
actions by private citizen groups. This violates another law  
which does not allow bureaucracies to make decisions which would  
bring on litigation against the federal government.

The proposed rule also does not acknowledge the fact the Clean  
Water Act explicitly exempts "Non-Point" source pollution from  
regulation and that federal agencies have no legal authority to  
implement TMDLs and BMPs, it can only be assumed that this  
section of the Clean Water Act is not considered "applicable  
legal authority" .

Please define "applicable legal authority" for me. I see no  
definitions of this anywhere.

Signed Andrew V. Myers

*Andrew V. Myers*

**CAET RECEIVED**

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